

June 21, 2004
Docket: 0032.0004.con



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Gregory B. Altshuler
Serial No: 10/807,515
Filed: March 22, 2004
For: Apparatus and Method for the Processing of Solid Materials, Including Hard Tissues

Patent Application
Confirmation No: 3398
Group: 3732
Examiner: Not yet assigned
Customer No: 29127

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

By: Deborah Celeste
Deborah Celeste

June 21, 2004
Date

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

under 37 CFR 1.97(c) together with either:
 a Statement under 37 CFR 1.97(e), as checked below, or
 a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:
 a Statement under 37 CFR 1.97(e), as checked below, and
 a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

[] under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

[] Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

[] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

[] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[X] Enclosed herewith is form PTO-1449:

[X] Copies of the cited references are enclosed except US patent references and those entered in prior application, U.S. Application No. 09/549,406, to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

[] References cited were entered in prior application, U.S. Application No. , to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]

[X] References marked with an "*" were cited in the enclosed International Search Report in a counterpart foreign application.

[X] The "concise explanation" requirement (non-English references) for reference EP 0 515 983 A1 under 37 CFR 1.98(a)(3) is satisfied by:

[] the explanation provided on the attached sheet.

[] the explanation provided in the Specification.

[X] submission of the enclosed International Search Report.

[] submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.

[] the enclosed English language abstract.

[] Examiner's Applicant requests that the following non-published pending applications be considered:

Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

[] A copy of each above-cited application, including the current claims, is enclosed.
[] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
[] Please charge Deposit Account 502 233 in the amount of \$[]. A copy of this Statement is enclosed.
[] Please charge any deficiency in fees and credit any overpayment to Deposit Account 502 233.
[X] No fee is required.

Respectfully submitted,

By Maria M. Eliseeva
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Dated: June 21, 2004



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 3

Complete if Known

Application Number	10/807,515
Filing Date	March 22, 2004
First Named Inventor	Gregory B. Altshuler
Art Unit	3732
Examiner Name	Not yet assigned
Attorney Docket Number	0032.0004.con

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)			
		US- 4,503,853	03-12-1985	Sadayasu et al.	
		US- 5,020,995	06-04-1991	Levy	
		US- 5,060,527	10-19-1991	Burgess	
*		US- 5,199,870	04-06-1993	Steiner et al.	
		US- 5,257,935	11-02-1993	Vassiliadis et al.	
		US- 5,257,956	11-02-1993	Ewen	
		US- 5,267,856	12-07-1993	Wolbarsht et al.	
		US- 5,334,016	08-02-1994	Goldsmith et al.	
*		US- 5,388,988	02-14-1995	Goisser et al.	
		US- 5,401,171	03-28-1995	Paghdiwala	
		US- 5,409,376	08-25-1995	Murphy	
		US- 5,456,603	10-10-1995	Kowalyk et al.	
		US- 5,554,029	09-10-1996	Kowalyk et al.	
		US- 5,636,983	06-10-1997	Shoji et al.	
		US- 5,734,765	03-31-1998	Artjushenko et al.	
		US- 5,746,596	05-05-1998	Gallant et al.	
		US- 5,752,948	05-19-1998	Tankovich et al.	
		US- 5,785,703	07-28-1998	Goodman et al.	
		US- 5,800,165	09-01-1998	Kirsch et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)				
*		EP 0 515 983 A	12-02-1992	Lasag AG		
*		WO 98/33623 A	08-06-1998	Biolase Technol		
✗		SU 1593669 A	09-23-2000	Alma Med. Inst.		
✗		EP 0 976 421 A1	02-02-2000	Altshuler et al		
✗		WO 00/62694 A1	10-26-2000	Altshuler		

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/807,515
		Filing Date	March 22, 2004
		First Named Inventor	Gregory B. Altshuler
		Art Unit	3732
		Examiner Name	Not yet assigned
Sheet	2	of	13
		Attorney Docket Number	0032.0004.con

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/807,515
Sheet	3	of	3	Filing Date	March 22, 2004
				First Named Inventor	Gregory B. Altshuler
				Art Unit	3732
				Examiner Name	Not yet assigned
				Attorney Docket Number	0032.0004.con

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T ²
X		Altshuler, G.B., "Human tooth in low and high intensive light fields," Proc. CPIE, Vol. 2623, pp. 68-81, 1996.			
X		Finkelstein, L.H. et al., "Epilation of Hair-Bearing Urethral Grafts Using the Neodymium:YAG Surgical Laser," The Journal of Urology, Vol.146, pp. 840-842, 1991.			
X		Goldman et al., "Laser Treatment of Tattoos," JAMA, Vol. 201, No. 11, pp. 164-166, 1967.			
X		Morgan, J. et al., "Rapid Communication:GRP78 Induction by Calcium Ionophore Potentiates Photodynamic Therapy Using the Mitochondrial Targeting Dye Victoria Blue BO," Photochemistry and Photobiology, Vol. 67, No. 1, pp. 155-164, 1998.			
X		Zeitler, E. et al. "Laser Characteristics that Might Be Useful in Biology," Laser Applications in Medicine and Biology, Vol. 1, Edited by M. L. Wolbarsht, Plenum Press, New York-London, pp. 35-63, 1971			

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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